

## ARTICLE 37-09

### DISCLOSURE OF BODY DAMAGE TO MOTOR VEHICLE

Chapter  
37-09-01            Application and Requirements of Disclosure

#### CHAPTER 37-09-01 APPLICATION AND REQUIREMENTS OF DISCLOSURE

Section	
37-09-01-01	Definitions
37-09-01-02	Damage Disclosure Statement - Contents
37-09-01-03	Damage Disclosure Statement - When Required
37-09-01-04	Damage Verification Statement
37-09-01-05	Salvage and Junk Motor Vehicles
37-09-01-06	Damage Information Placed on Title
37-09-01-07	Effective Date of Chapter

**37-09-01-01. Definitions.** The definitions provided in North Dakota Century Code title 39 apply to this article, except:

1. "Damage" is the change in the body or structure of a motor vehicle, generally resulting from a vehicular crash or accident, including loss by fire, vandalism, weather, or submersion in water, resulting in damage of three thousand dollars or greater in one occurrence. The term does not include body or structural modifications, normal wear and tear, glass damages, hail damage, or items of normal maintenance and repair.
2. "Motor vehicle" is exclusive of motorcycles, all-terrain vehicles, snowmobiles, and house cars.

**History:** Effective April 1, 1992.

**General Authority:** NDCC 24-02-01.2, 39-02-03

**Law Implemented:** NDCC 39-05-17.2

**37-09-01-02. Damage disclosure statement - Contents.** The damage disclosure statement must contain the name and address of the transferor, a statement as to whether the motor vehicle has sustained damage, and the name and address of the transferee. The damage disclosure statement must be completed, signed, and certified by the transferor.

**History:** Effective April 1, 1992.

**General Authority:** NDCC 24-02-01.2, 39-02-03

**Law Implemented:** NDCC 39-05-17.2

**37-09-01-03. Damage disclosure statement - When required.** A damage disclosure statement must be completed prior to the transfer of the title on all current

year models of motor vehicles and those models manufactured in the four years previous to the current model year.

**History:** Effective April 1, 1992.

**General Authority:** NDCC 24-02-01.2, 39-02-03

**Law Implemented:** NDCC 39-05-17.2

**37-09-01-04. Damage verification statement.** If the damage disclosure statement reveals a damage, the transferor must complete a damage verification statement. The damage verification statement must provide for:

1. The title number, serial number or vehicle identification number, make, model, and year of the motor vehicle.
2. A brief description of the cause of the damage and an explanation of the nature of the damage sustained.

**History:** Effective April 1, 1992.

**General Authority:** NDCC 24-02-01.2, 39-02-03

**Law Implemented:** NDCC 39-05-17.2

**37-09-01-05. Salvage and junk motor vehicles.** Prior to the transfer of title, a damage verification statement is required for all motor vehicles titled pursuant to North Dakota Century Code section 39-05-20.2.

**History:** Effective April 1, 1992.

**General Authority:** NDCC 24-02-01.2, 39-02-03

**Law Implemented:** NDCC 39-05-17.2

**37-09-01-06. Damage information placed on title.** When a damage verification statement has been filed, the North Dakota department of transportation must record on the title to the damaged motor vehicle a statement to the effect that the department records indicate that the motor vehicle has sustained damage. This information must be placed on all subsequent titles issued on the damaged motor vehicle. Additionally, a statement on vehicle damage may be entered on the registration card for such vehicle.

**History:** Effective April 1, 1992.

**General Authority:** NDCC 24-02-01.2, 39-02-03

**Law Implemented:** NDCC 39-05-17.2

**37-09-01-07. Effective date of chapter.** This chapter is effective April 1, 1992, and is prospective in application.

**History:** Effective April 1, 1992.

**General Authority:** NDCC 24-02-01.2, 39-02-03

**Law Implemented:** NDCC 39-05-17.2